

Appl No 10/049,787
Amld. dated October 17, 2003
Reply to Office Action of May 20, 2003

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner has objected to the specification. In particular, the Examiner has stated that the reference to the claim numbers in the specification should be removed. These references were removed by the above amendment and instead the subject matter relating to those claims has been inserted in their place.

The Examiner has rejected claims 36-41, 43-46, 49-50, 54, 55, 61, 62 64, 66 and 68 under 35 U.S.C. 103(a) as being unpatentable over Rippey et al (article) in view of U.S. Patent No. 5,805,442 to Crater et al.

In this rejection the Examiner concedes that the above references do not show the use of a HTTP server associated with a welding device.

In response, claims 1-69 have been canceled without

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prejudice. New claims 70-104 have been added. In particular, new claim 70 is similar to previous independent claim 36, but includes a new element in the form of a sensor system.

Support for this element can be found in the specification on page 11, last paragraph. As stated in that paragraph, this sensor is used to assess the quality of the welding process or to detect the current welding performance.

Rippey et al does disclose the possibility of using sensors, but these sensors are not discussed in an enabling manner, therefore the applicant believes that there would be no suggestion to use Rippey et al to reject the above claims.

Claim 70 also includes a housing for housing the control and evaluation unit, a memory unit, and a communications interface. This feature has not been shown in Rippey et al. In particular very little structure has been defined in Rippey et al. For example, Rippey et al only generally states the use of one or more components but does not describe how these components are coupled together or housed. Claim 70 clearly defines the physical and communication relationship between the different components. This feature is also supported by the specification

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and is also shown by way of example in FIG. 2 of the present invention.

Therefore, the applicant believes that claim 70 and dependent claims 71-98 which ultimately depend from claim 70 are patentable over the references cited taken either singly or in combination.

In addition, new claim 99 is directed towards a method for monitoring a welding device. This method includes monitoring a set of welding parameters and then communicating these parameters via a computer or communications network. This step has not been clearly shown by the above listed prior art. Therefore, the applicant believes that claim 99 and dependent claims 100-104, which depend from claim 99, are patentable over the above cited references. New independent claim 105 has also been added. The applicant believes that this independent claim is also patentable over the above cited reference.

Claims 1-69 have been canceled without prejudice. New claims 70-105 have been added. The applicant believes that the remaining claims are written to overcome the rejections of the Examiner. Accordingly, the applicant respectfully requests early

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allowance of the remaining claims.

The Commissioner is hereby authorized to charge \$36.00 for two additional claims and any additionally required fee, or to credit any overpayment, to our Deposit Account No. 03-2468.

Respectfully submitted,

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I hereby certify that this correspondence is being sent by facsimile transmission to the U.S.P.T.O. to Patent Examiner G.C. SHAW at Group No. 1725, to 1-703-872-9310 on October 17, 2003.

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